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C O N F I D E N T I A L SECTION 01 OF 02 KAMPALA 001112

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TAGS: [PHUM](#) [PGOV](#) [PINS](#) [KDEM](#) [UG](#)  
SUBJECT: UGANDA: HUMAN RIGHTS WATCH AND CIVIL SOCIETY  
QUESTION RIOT RESPONSE

REF: A. KAMPALA 01079  
[1](#)B. KAMPALA 01074

Classified By: Pol/Econ Chief Aaron Sampson for  
reasons 1.4 (b) and (d).

[1](#)1. (SBU) Summary: The local representative for Human Rights Watch (HRW) said the organization will soon release a report which concludes that Ugandan security forces used disproportionate force to quell the September 10-12 riots. The riots left over 20 people dead and more than 100 wounded. HRW expressed concern over the status and medical condition of riot suspects, including two dozen charged with terrorism, a capital offense. HRW's methodology likely overemphasized security force abuses. We believe there were certainly instances of excess, but that some security forces also exercised restraint. End Summary.

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Disproportionate Use of Force  
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[1](#)2. (SBU) On September 22, HRW discussed a forthcoming report on Kampala's September 10-12 riots, based on direct observation of the riots and extensive interviews with riot victims, suspects, observers, and Ugandan government officials. HRW noted police responsibility to preserve order and acknowledged that force may be necessary in certain circumstances but, contrary to government claims, HRW reported no evidence of rioters using lethal force and only one instance of a rioter with a fire arm.

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Treatment of Riot Suspects  
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[1](#)3. (SBU) Uganda has charged 24 people suspected of burning the Nateete police station with terrorism, a capital offense. HRW said women and others were beaten with canes at the Nateete market, and alleged that some suspects were beaten after being arrested and that police in certain neighborhoods went door to door, pulling people out of their homes to be beaten and arrested. It criticized the Inspector General of Police, Maj. Gen. Kale Kayihura, for parading several riot suspects, some of whom were still bleeding and in need of medical care, before television cameras, and cited difficulties locating suspects in police custody. Based on interviews with police officers and prisoners, HRW accused the government of trying to confuse family members of those arrested by transferring suspects from one police station to another. In many cases, the police themselves were confused about a particular suspect's whereabouts.

[1](#)4. (SBU) HRW questioned whether police had sufficient evidence to charge the several hundred arrested individuals, and said security forces confiscated video tapes and

photographs from journalists. HRW called on security forces to release riot footage to the public. HRW noted that few if any of those arrested have received legal representation, which is particularly important for those charged with terrorism. Uganda has never successfully prosecuted a terrorism case and there are likely no lawyers in country with experience defending clients accused of terrorist offenses. The Buganda Kingdom has reportedly created a legal defense team composed of 15 lawyers to assist those arrested during the riots, but HRW judges 15 lawyers to be inadequate.

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Media Crackdown  
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15. (SBU) HRW joined Article 29 - a local human rights group named after the article safeguarding freedom of expression in the Ugandan constitution - in condemning the media crackdown that accompanied Uganda's riot response. HRW challenged the government to provide evidence justifying the closing of four radio stations and confiscation of private radio equipment. The government promised to provide English language transcripts of the allegedly offensive broadcasts (ref. A), but these transcripts have yet to materialize. According to HRW, the Department of Public Prosecutions has accepted for prosecution only 10 of the 80 cases forwarded by the Police Department's Media Offenses Unit since the unit's creation last year. The failure to prosecute, however, does not protect journalists from harassment and intimidation by Media Unit members.

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Comment: Riot Control and Dissent Prevention  
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16. (C) The HRW representative acknowledged that the organization's assessment focused on areas where it believed disproportionate force was used, highlighting a methodological flaw that would overemphasize security force abuses while ignoring areas where security forces responded appropriately. The report will highlight a growing debate over the legitimate use of force to quell criminal violence vs. using it as a means to silence or intimidate government critics. While there were certainly specific instances of excess during the September 10-12 riots, security forces exercised a measure of restraint overall. As sedition charges pile up against some of Uganda's most thoughtful journalists (ref. B), the government's use of such charges is increasingly tenuous.  
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